

Minutes of a Regular Meeting of the City Council
Austin, Tex. Sept. 16, 1895.

Hon. John McDonald, Mayor, presiding.

Roll Call.

Present.— Aldermen Anderson, Assmann, Fischer, Haynes, Linn, Kitschke, Platt, Powell, Roberdeau, Schneider, Shelley, Taylor, Townsend, and Warmoth.

Absent.— ^{Alderman} Glass, Glascott, Goeth, Hume, Lawless, Tread and Tobin.

The minutes of the meeting of the Council held on Sept. 2, 1895, were, on motion, adopted as printed. Alderman Linn moved a suspension of the regular order of business for the purpose of considering the bond of the City Clerk elect. The motion was carried.

The bond of Jno. O. Johnson, City Clerk elect, was then presented and read, and on motion of Alderman Linn, was accepted, approved and ordered filed.

Aldermen Glass, Glascott, Goeth, Lawless, and Tobin, entered the Council chamber and answered to their names.

Petitions and Memorials.

By Alderman Roberdeau.— A petition from St. Manthe, requesting that a fine of \$5.00 which was assessed against him in the Recorder's Court be remitted.

On the recommendation of the Mayor the petition was granted.

By Alderman Kitschke— A petition from citizens living outside of the City limits requesting a 4 inch pipe instead of a 2 inch pipe be laid to the City limits out near the Manor road, so that they may connect with same at their own expense.

The petition was referred to the Water and Light Commission.

By Alderman Glascott— Petition of P. J. Jones asking the Council to refund to him certain taxes paid by him on lots in Swisher's addition to the City of Austin, for the year 1891 for the reason that when the tax levy was made, Swisher's addition was not a part of the City of Austin.

The petition was referred to the Committee on claims and accounts.

By Alderman Haynes— Petition of W. Moses and Son, for permission to erect a small stand on the corner of Seventh street and Congress avenue. The petition was referred to the Street Committee with power to act upon motion of Alderman Warmoth.

By Alderman Roberdeau— A petition of C. C. Bahn asking permission to erect a corrugated iron roof shed 50 x 10 feet on the corner of Fourth and Brazos streets within the fire limits. The petition was granted by a rising vote of 10 to 5.

Reports of Committees

Alderman Powell, for the Committee on Police, to whom was referred the City Marshal's report for the month of August 1895, presented a report thereon which states that the Marshal's

Consideration of Bond of
City Clerk elect
John O. Johnson

Petition of St. Manthe
for remission of fine in
Recorder's Court

Petition of Citizens
living outside City limits
on Manor road for laying
a 4 inch pipe instead of 2 inch

Petition of P. J. Jones for
refunding of certain taxes

W. Moses & Son Pet.
to erect a stand Cor. 7th & Co.
Cong.

Petition of C. C. Bahn to
erect a shed corner 4th & Brazos St

Ordinance Committee's report on resignation of Mr. Milton Morris

reports were duly examined and found to be correct. The report of the Committee was adopted.

Alderman Taylor, for the Committee on ordinances to whom was referred the resignation of Milton Morris City Clerk, with instructions to draft suitable resolutions, submitted the following resolutions for the consideration of the Council.

Whereas, Mr. Milton Morris has tendered his resignation as City Clerk, of the City of Austin, and the same has been accepted by this body, and

Whereas, the administration of his office has been characterized by his strict attention to duty, his systematic conduct of work, his simple, clear and concise method of keeping the books and accounts and his gentlemanly and courteous bearing upon all occasions under trying conditions and circumstances, and

Whereas, under the many onerous and multifarious duties to which he has been assigned or has voluntarily taken upon himself, he has acquitted himself with honor and credit to the City, and has won an affectionate place in the hearts of this Council and the people of Austin, therefore be it

Resolved, By the City Council of the City of Austin that we tender to Mr. Morris assurances of our appreciation of his past services, we rejoice with him in his appointment to a more lucrative position, and wish him success and happiness in all his future undertakings.

The foregoing resolutions were adopted by a rising vote. Alderman Kitzsche moved that a copy of these resolutions be furnished Mr. Morris by the Mayor under the seal of the Council. Carried.

Alderman Taylor, for the ordinance Committee to whom was referred the message of the Mayor in regard to the investment of money now in the City Treasury to the credit of the Sinking fund of the Water and Light bonds, and all moneys that may hereafter be placed to the credit of said fund, was read and laid over to come up under the head of new business, together with the ordinance named therein.

Alderman Roberdeau, for the Committee to whom was referred an ordinance, making it the duty of the City Electrician to attend all fires, submitted an ordinance and recommended that it be adopted in lieu of the original. The report was adopted and laid over to come up under the head of new business together with the ordinance named therein.

Alderman Shelley, for the Committee on claims and accounts, to whom was referred the petition of Mr. J. Lamour for the remission of taxes for the year 1894 on a certain Vendor's law note, submitted their report, stating that they failed to find any ordinance or other provision of law

Ordinance Committee's report on Mayor's message in regard to investment of H+S. Sinking Fund, Bonds.

Report of Committee on Claims & Accts. on petition of J. Lamour for remission of taxes for 1894.

Petition of Mrs Elizabeth Marshall for damage to submerged land on Lake McDonald

authorizing the Council to remit taxes, with the recommendation that the petition be not granted. Report of the committee was adopted. Alderman Shelley, for the Committee on claims and accounts to whom was referred the petition of Mrs. Eliza Marshall, widow of Charles Marshall, deceased, for damages to property submerged by Lake McDonald, submitted their report, in which they state, that they find that Charles Marshall was, at the time of his death, possessed of the following described property, to wit: Lots 1, 2, 3, 4, 5, 6, 7, 10, and 11 block 4, of the White and Wolf's subdivision of a forty acre tract of land about four miles northwest from the City of Huston, and that said property is now submerged by the back water in the lake. That said Marshall, as shown by the deed records of Travis County, purchased said property December 17, 1890, paying therefor \$350.00.

We, therefore, recommend that the petitioner, Mrs. Eliza Marshall, be allowed and paid the sum of \$350.00 the amount originally paid for said property, upon the execution by the duly appointed and qualified administrator or administratrix or other duly authorized representative of the estate of Charles Marshall, "a release in full to the City for all damages to said property." The report of the committee was adopted.

Alderman Redd entered the Council Chamber and answered to his name.

Claims & Rec'ts Com:
report on proposition of
J. F. White to compromise
suit now pending in County
Court.

Alderman Shelley, for the Committee on claims and accounts, to whom was referred the proposition of Mr. J. F. White to compromise a suit now pending in the County Court for destruction of growing crops, etc. submitted their report in which they state, "We find from the statement of Mr. Corwin that Mr. White was led to believe the the land upon which the crop was planted would not be submerged by the lake, and having thus been mislead by the agent of the City, he planted his crop in good faith. That said land was submerged and the crop destroyed."

We, therefore, recommend that Mr. White be allowed and paid the sum of \$300.00 upon his executing to the city a full release for all damages."

The report of the Committee was adopted by the following vote:
Yea - Aldermen Anderson, Assmann, Fischer, Glass, Glascock,
North, Lawless, Nitchev, Platt Redd, Roberdeau, Shelley,
Taylor, and Tobin - 14.

Nay - Aldermen Haynes, Linn, Powell, Schneider, Townsend,
and Warrnath - 6.

Alderman Linn was excused from further attendance at this session of the Council.

Alderman Platt, for the Cemetery Committee, to whom was referred an ordinance authorizing Thomas F. Taylor and William St. Ainsworth, their associates, successors and assigns, the right to establish a cemetery in the City of Huston.

Cemetery Com: report on
proposition of T. F. Taylor and
W. St. Ainsworth, to establish a
cemetery in the City of Huston.

presented their report, recommending that the ordinance do not pass. Alderman Fischer moved to postpone further action on the report. The motion prevailed.

Alderman Tobin, for the Water and Light Commission, presented the following:

Austin, Texas, September 16, 1895.
Honorable City Council.

Sir - Gentlemen - Your Water and Light Commission, very respectfully recommends the adoption of the following resolution by your honorable body:

Resolved, That all the water pipe to be laid in the City in the extension of the water distribution system, be 6 inch pipes, except the 2 inch pipe recommended by the Superintendent. Respectfully submitted,

S. J. Lawless.
John McDonald.

Water and Light Commission.

Alderman Lawless requested that the following communication be read:

Dallas, Texas, September 13, 1895.

Irvin Daniel, Esq., Austin, Texas:

Dear Sir - I am advised upon good authority that it is proposed by some of the members of the Austin City Council to use 4 inch mains instead of 6 inch mains in future additions to your Water works system. I hope you will be able to show your City fathers that this is a bad move in more ways than one. As the City grows, the 4 inch mains will be found to be too small for the demands of domestic service alone.

From an insurance standpoint a four inch main is even more objectionable, as it will not furnish water in sufficient quantities for effective fire service. Our water department here has been digging up four inch leads to hydrants from ten and twelve inch mains and substituting six inch leads therefor. The Water Superintendent did not think that even a twelve inch main furnished sufficient water for good fire protection when fed to hydrants through a four inch lead.

The Universal Mercantile Schedule, which as you know, is the latest system of schedule rating, allows only one half credit for water pipes less than six inches in diameter. While we have not adopted this system in whole, we, as well as all rating associations, are borrowing from it every time an old tariff ^{is put into effect.} ~~is put into effect.~~ It would certainly be economy in the long run, for your City to put in six inch in lieu of the four inch mains.

Yours very truly,

George W. Galonick.

Alderman Tobin moved to table the report, which motion was adopted by the following vote.

Report of W & L Commission
for 6 inch pipe in expansion
of Water distribution system

Letter from Geo. W. Galonick
of Dallas Texas, regarding
4 in. mains

Yrs. Aldermen Anderson, Isserman, Fischer, Glass, Glascock, Haynes,
Hirsch, Powell, Read, Robertson, Schneider, Shelly, John Townsend;
Wardens:- 15.

Stays - Aldermen Barth, Sawless, Stark Taylor, - 1.

Alderman ^{John} presented the following resolution and communication from
the Water and Light Commission.

Now City Council

Gentlemen:- Your Water and Light Commission respectfully refers to your
honorable body the report of the Superintendent of Water and Light
System hereto attached, concerning the substitution in some places two
inch pipe for six-inch pipe, and we recommend the adoption of the following
resolution:

Resolved, That the changes recommended by the Superintendent of the
Water and Light System, of two-inch pipe for six-inch pipe be approved.

Respectfully submitted,

W.H. Dobin.

John McDonald.

Francis Fischer.

Water and Light Commission.

Austin, Texas, Sept. 10, 1895.

W.H. Dobin, Chairman Water and Light Commission:

Dear Sir: Herewith I hand you requests of Aldermen in accordance
with the resolution of the City Council, as to changes from six inch to
two-inch pipe, showing the total feet of old mains, new mains, and changes
from six-inch to two-inch in the several wards:

Wards.	Old Mains.	New Mains.	Total Mains.	Changes to & 2.
First.	10,500	7,000	17,500	700
Second.	5,500	8,000	13,500	1,800
Third.	6,800	8,850	15,650	
Fourth.	7,000	7,700	14,700	
Fifth.	8,450	9,350	17,800	670
Sixth.	15,000	25,300	40,300	
Seventh.	17,900	18,350	36,250	5,480
Eighth.	11,600	14,100	25,700	1,320
Ninth.	11,600	4,700	16,300	
Tenth.	16,900	14,170	31,070	6,060
Eleventh.	8,100	16,000	24,100	
Total.	119,350	133,420	252,870	16,100

None of the changes suggested, involves the change of fire hydrants
and I think in every instance abundant service will be given by
the proposed two-inch pipe.

The Fourth and Ninth ward Aldermen request no changes, and I do
not see where any could be well made in these two wards.

The First, Second, Fifth, Seventh, Eighth, and Tenth wards have
requested changes to as large an extent as I could advise.

The Third ward has requested no change, but I think the change
requested by the Second ward Alderman on the line of the

Third ward is all that it would be well to make. In the Sixth ward a change of 4800 feet, and in the Eleventh ward a change of 7000 feet could, I think, be advantageously made without impairing the service, but the Aldermen of those wards, have made no request for changes.

A memorandum of the changes which could be made in these wards is attached. Very respectfully submitted.

John W. Madlock, Sup't.

Alderman Taylor moved the adoption of the report of the commission leaving the matter of changes in the Eleventh ward to the Water and Light Commission, and the Aldermen from that ward. The motion prevailed.

The report of the Water and Light Commission, as amended, was then adopted.

New Business.

Alderman Haynes. - An ordinance appropriating the sum of \$50.00 for the purpose of repairing the roof of the City Hall. The ordinance was passed under a suspension of the rules by the following vote:

Yea - Aldermen Anderson, Ussmann, Fischer, Glass, Glascott, Goeth, Haynes, Lawless, Kitzchke, Platt, Cowell, Read, Roberdeau, Schneider, Shibley, Taylor, Cobin, Townsend, and Warmoth. - 19.

Alderman Schneider, for the special committee to whom was referred the petition of W. G. Bell, offer the following resolution and ask its passage: Whereas, Mrs. M. M. Bell has commenced the construction of a rock wall on the west side of lots Nos. 1. and 2. in block 102, which wall extends into Nunes street, and whereas said street is not now open for public travel on its east side at the location of said wall is not for that reason any serious obstruction, and serves to protect the property of Mrs. Bell from overflow, therefore be it

Resolved by the City Council of the City of Austin, That the said Mrs. Bell be allowed to complete said wall to the length of 60 feet and maintain the same until required to remove the same by the order of the City Council, it being intended hereby to grant only a temporary licence, revocable at the pleasure of the City Council, and be it further

Resolved, That the City reserves the right, as a consideration for the licence hereby granted to use said wall for any purpose connected with said street when it may deem it proper to do so, and the said Mrs. Bell, in consideration of the license hereby granted shall prevent the washing of the west bank of Little Shoal Creek, opposite the said wall, and her failure to do so shall be construed a forfeiture of all rights hereby conferred. This resolution shall take effect and be in force from and after its passage.

On motion the resolution was adopted.

Alderman Platt, for the special committee, to whom was referred an ordinance extending the bound limits reported as follows:

To the Honorable Mayor and Board of Aldermen, Austin, Texas.

Gentlemen - Your Committee to whom was referred an ordinance extending the bound limits, beg leave to report that we have carefully considered the same and find that the City extended the boundary line on its last no. 10 to have in a open den of form and pasture lands.

This is in my opinion, as it does, for the best interest of the bound limits, that your Board of Aldermen would consentingly be crossing the line into the

\$50.00 Appropriation to repair roof of City Hall

Report of Special Committee on per. of W.G. Bell.

Report of Special Com. on extension of Bound limits

pound limits, subjecting the owners or persons in charge, to a fine of \$100.00.
 The people who would be affected by an extension of the limits as proposed are very bitterly opposed to it. They are a poor laboring class; at least most of them are, and depend a great deal on their stock for a living, especially for milk and butter.
 We have heard no complaint of damage by stock within the district that would be covered by the proposed extension. The passage of the ordinance would force many people who are not able to do so to feed their stock or lay themselves liable to pay a fine, to do which they would have to sell or let the City sell their stock.
 The Citizens in the district that would be affected by this ordinance complain that they are made to feel the heavy hand of the City when they go to pay their taxes but receive very little benefit in return. No water, no fire protection, no light and very little street improvement, and now to deprive them of milk and butter would be like laying on the last feather that broke the Camels back. We therefore respectfully recommend that the ordinance do not pass.

R. Platt.

A. Warmoth,

W.A. Glass.

J.B. Nitschke

The report of the Committee was adopted.

Alderman Lawless' resolution on selection of Arbitrator on proposition of Dr. Simm for reservoir site. By Alderman Lawless- Resolved by the City Council of the City of Austin, That the City Council proceed at once to select some suitable person to act as arbitrator on behalf of the City of Austin in accordance with the proposition made by Dr. Simm to settle by award of arbitrators the price to be paid by the City for land necessary for use by the City as a reservoir. Alderman Tobin moved to table the resolution, which motion prevailed by the following vote:

Ayes: Aldermen Assmann, Fischer, Glass, Glascock, Haynes, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Taylor, Tobin and Warmoth. Total 11

Nays.- Aldermen Anderson, Coeth, Lawless, Shelley and Townsend. Total 5.

Ord. Appropriating \$175.00 By Alderman Simm An ordinance appropriating the sum of \$175.00 for the purpose of paying interest on Austin City Funding Bonds, due Oct. 1st 1895.

The ordinance was passed under suspension of the rules by the following vote:

Ayes- Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Goeth, Haynes, Lawless, Nitschke, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Tobin, Townsend and Warmoth. Total 19.

Nays.- None.

(By Alderman Fischer) "An ordinance for the supervision of connection of electric wire within the City of Austin with any electric wire used or electric wire by Electrical Eng. for the purpose of receiving or supplying electricity without having first obtained the written permit of the electrical engineer employed by the City Council, and to provide a penalty for the violation thereof."

It was read the first time, after which Alderman Schneider moved to refer to the ordinances committee, where motion was adopted.

Ord. appropriating \$175.00 to pay Int. on Austin City Funding Bonds due Oct. 1, 1895.

Ord. for supervision of connection of electric wire within the City of Austin with any electric wire used or electric wire by Electrical Eng. for the purpose of receiving or supplying electricity without having first obtained the written permit of the electrical engineer employed by the City Council, and to provide a penalty for the violation thereof."

Resolution for change of bridge from entrance to Fairview Park to Elizabeth St.

By Alderman Glascock - Whereas, A bridge is badly needed where Elizabeth street crosses Boulder Creek, and Whereas, The wooden bridge once used at the entrance to Fairview Park is no longer needed; Therefore, be it

Resolved, That said bridge be removed to Elizabeth street.

Alderman Henderson moved to refer the resolution to the Street Committee with power to act. Carried.

By Alderman Mitchner - An ordinance as follows: Be it ordained by the City Council of the City of Austin:

Section 1. That the street laying on the east side of the two and one half acres owned by the City of Austin and adjacent to the present City Cemetery be abandoned for the full width of said tract.

Section 2. That a street 60 feet wide along the west side and for the full width of said two and one half acre tract be and the same is hereby required to be opened by the City engineer at the expense of the Austin City Cemetery association.

Section 3. This ordinance shall take effect from and after its passage. It was passed under suspension of the rules.

By Alderman Dobin - An ordinance appropriating the sum of \$5000.00 for the purpose of paying expenses of the Water and light system for the City of Austin.

It was passed under suspension of the rules by the following vote:
Yea - Aldermen - Anderson, Assmann, Fischer Glass, Glascock, Goeth, Haynes, Lawless, Mitchner, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Dobin, Townsend and Wainright. 19
Nays - None.

By Alderman - Sims - An ordinance appropriating the sum of \$16,875.00 for the purpose of paying interest on Water works and Electric light Bonds of the City of Austin, due October 1, 1895.

It was passed under suspension of the rules by the following vote:
Yea. Aldermen Anderson, Assmann, Fischer, Glass, Glascock, Goeth, Haynes, Lawless, Mitchner, Platt, Powell, Redd, Roberdeau, Schneider, Shelley, Taylor, Dobin, Townsend and Wainright. 19.
Nays - None.

The Bond of G. A. Wheatley, City Auditor, with Henry Hirshfeld and Geo. H. Massie as sureties was presented, read, and on motion was accepted and approved.

The ordinance submitted by the ordinance committee in regard to the Sinking Fund was then laid before the Council and is as follows:

Be it ordained by the City Council of the City of Austin:
Section 1. That the Mayor and Finance Committee of the City Council be and are hereby authorized and directed to invest all moneys now in the City Treasury to the credit of the Sinking Fund of the Water and Light System, and all money that may hereafter be placed to the credit of said fund, in interest bearing bonds of the United States or of the state of Texas, or of the City of Austin: provided, that the principal thereof shall not be encumbered upon its having

Ord. appropriating
\$16,875.00 to pay interest
on W.W. and E.L. Systems

left Wheatley's bond
as City Auditor

Ord. regarding Sinking
Fund of W&L System
investment of

of the City Council.
Upon motion of Alderman Miles, Council adjourned.
Geo. C. Canyon
City Clerk.